

RESOLUTION
NUMBER 2003-072

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, ESTABLISHING THE SOUTH GULF COVE ADVISORY COMMITTEE; PROVIDING FOR ITS FUNCTIONS, POWERS, AND DUTIES; PROVIDING FOR MEMBERSHIP, APPOINTMENT, AND REMOVAL; PROVIDING FOR OFFICERS, QUORUM, AND RULES OF PROCEDURE; PROVIDING FOR COMPLIANCE WITH APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners of Charlotte County, Florida (hereinafter "the Board") encourages the development of community plans for platted subdivisions in order to create a sense of community, to increase levels of infrastructure and services, and to develop planning initiatives, and to determine appropriate and equitable sources of funds to implement planning initiatives; and

WHEREAS, Objective 2.9, Policy 2.9.1, and other goals, objectives and policies of the 1997-2010 Charlotte County Comprehensive Plan, encourage communities to redesign their platted subdivisions to better address environmental issues, transportation problems, housing density, schools, parks, to create opportunities for well-sited commerce, to reduce urban sprawl, and to promote sustainable growth and development; and

WHEREAS, at the request of residents of the South Gulf Cove platted subdivision (hereinafter "the South Gulf Cove Community"), the Board hired the firms of Hole Montes, Inc., and Adley Brisson Engman Planners and Economists, Inc. (hereinafter "the consultants") to create a community plan for the South Gulf Cove Community to address numerous concerns of the residents; and

WHEREAS, the consultants undertook a planning effort that included citizen participation at advertised public meetings to discuss issues regarding the South Gulf Cove Community; and

WHEREAS, as a result of the planning efforts, the consultants prepared a document entitled "South Gulf Cove Community Plan" which was presented to and accepted by the Board on August 27, 2002 (hereinafter "the South Gulf Cove Community Plan"); and

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WHEREAS, to ensure and provide oversight of the implementation of the South Gulf Cove Community Plan, the Board desires to create a citizens advisory committee comprised of residents and landowners of the South Gulf Cove Community;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Charlotte County, Florida, that:

1. Advisory Committee established. There is hereby established the South Gulf Cove Advisory Committee (hereinafter "the Committee").

2. Functions, powers and duties of the Committee. The functions, powers and duties of the Committee shall be as follows:

a. Evaluate and prioritize the goals and policies laid out in the South Gulf Cove Community Plan for implementation.

b. Make recommendations to the Board regarding implementation of the South Gulf Cove Community Plan.

c. Make recommendations to the Board regarding management of growth within South Gulf Cove Community and reduction of residential density within the South Gulf Cove Community.

d. Make recommendations to the Board regarding and the reduction of negative impacts on water quality within the South Gulf Cove Community and in Charlotte Harbor, on adequacy and safety of the transportation network, on the ability of residents to safely enjoy healthy outdoor exercise, and on relief from urbanization gained through a system of open spaces and recreational areas.

e. Perform any other duties assigned by the Board.

3. Membership.

a. The Committee shall consist of five (5) members appointed by the Board.

b. Members of the Committee shall serve without compensation and at the pleasure of the Board. All members shall either reside in or own property within the boundaries of the South Gulf Cove Community planning area as depicted on Exhibit "A" which is attached hereto and by this reference made a part hereof. All members shall be able to devote the time necessary to participate in the activities of the Committee.

c. Members shall be appointed to serve a term of two (2) years. Members shall be eligible for reappointment.

4. Removal from Committee; failure to attend meetings.

a. Any member of the Committee may be removed from the Committee, with or without cause, by a majority vote of the Board.

b. In the event that any Committee member is absent from three (3) consecutive Committee meetings without a satisfactory excuse acceptable to the Committee chairman, the Committee chairman shall state such fact at the next regularly scheduled Committee meeting and shall thereafter notify, in writing, the chairman of the Board of the member's failure to attend without satisfactory excuse. The Board shall review the Committee chairman's notification at a county commission meeting and may declare the Committee member's position to be vacant if the Board concurs that the Committee member was absent from three (3) consecutive Committee meetings without a satisfactory excuse and shall promptly fill the vacant position. The Committee member shall not serve at any meetings after his or her position is declared vacant.

c. If any member of the Committee is absent for more than one-third of the Committee's meetings in a given fiscal year, it shall be deemed that the member has tendered his/her resignation from the Committee. The Board shall as soon as practicable after such resignation, declare the position to be vacant and shall promptly act to fill the vacancy. The Committee member shall not serve at any meetings after his or her position is declared vacant.

5. Officers, quorum, and rules of procedure.

a. At the first meeting, and annually thereafter, the membership of the Committee shall elect a chair, vice chair, and secretary from among the members. Officers' terms shall be for one (1) year, with eligibility for re-election.

b. The presence of three (3) or more members shall constitute a quorum of the Committee necessary to take action and transact business. In addition, once quorum requirements have been met, an affirmative vote of the majority of the Committee members present at a meeting shall be necessary in order to take official action. A tie vote shall not be considered an affirmative vote.

c. The Committee may, by a majority vote of the entire membership of the Committee, adopt rules of procedure or by-laws for the transaction of business. The Committee shall keep a written record of meetings, actions, findings and recommendations. Copies of all Committee minutes, actions, reports, findings and recommendations shall be submitted to the Board.

d. Meetings of the Committee shall be conducted pursuant to Roberts Rules of Order. In the event that Roberts Rules of Order conflict with the provisions of this resolution or any bylaws of the Committee, the precedence of the governing documents shall be: 1) this resolution; 2) the bylaws of the Committee (if any); and 3) Roberts Rules of Order.

6. Compliance with Applicable Laws.

a. The Committee's activities shall be consistent with federal and state laws and regulations.

b. All meetings of the Committee will be open to the public and subject to the applicable provisions of the Florida open meetings ("Sunshine") laws, Section 286.011, Florida Statutes.

c. The records of the Committee shall also be subject to the applicable provisions of the Florida Public Records Law, Chapter 119, Florida Statutes.

d. The members of the Committee shall be subject to the applicable provisions of the Code of Ethics for Public Officers and Employees, Chapter 112, Part 111, Florida Statutes.

7. Duties of the County Administrator or designee for the Committee. The duties of the County Administrator or his/her designee for the Committee shall be:

a. To administer the activities of the Committee in accordance with the policies of the Board and this resolution.

b. To provide periodic written reports to the Board on the activities of the Committee.

c. To provide any additional technical or administrative support as deemed appropriate by the County Administrator.

8. Sunset Clause. Five (5) years after the date of adoption of this resolution, the Board shall review the activities of the Committee to determine whether the Committee still serves a necessary function and should continue in existence.

9. Effective Date. This resolution shall take effect immediately upon adoption by the Board of County Commissioners of Charlotte County, Florida.

PASSED AND DULY ADOPTED THIS 13 DAY OF May, 2003

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By Matthew D. DeBoer
Matthew D. DeBoer, Chair



Attest:
Barbara T. Scott, Clerk
Of the Circuit Court and
Ex-Officio Clerk to the
Board of County Commissioners

By June L. Bahler
Deputy Clerk

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

Renée Francis Lee
Renée Francis Lee, County Attorney AOB

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SOUTH GULF COVE PLANNING AREA

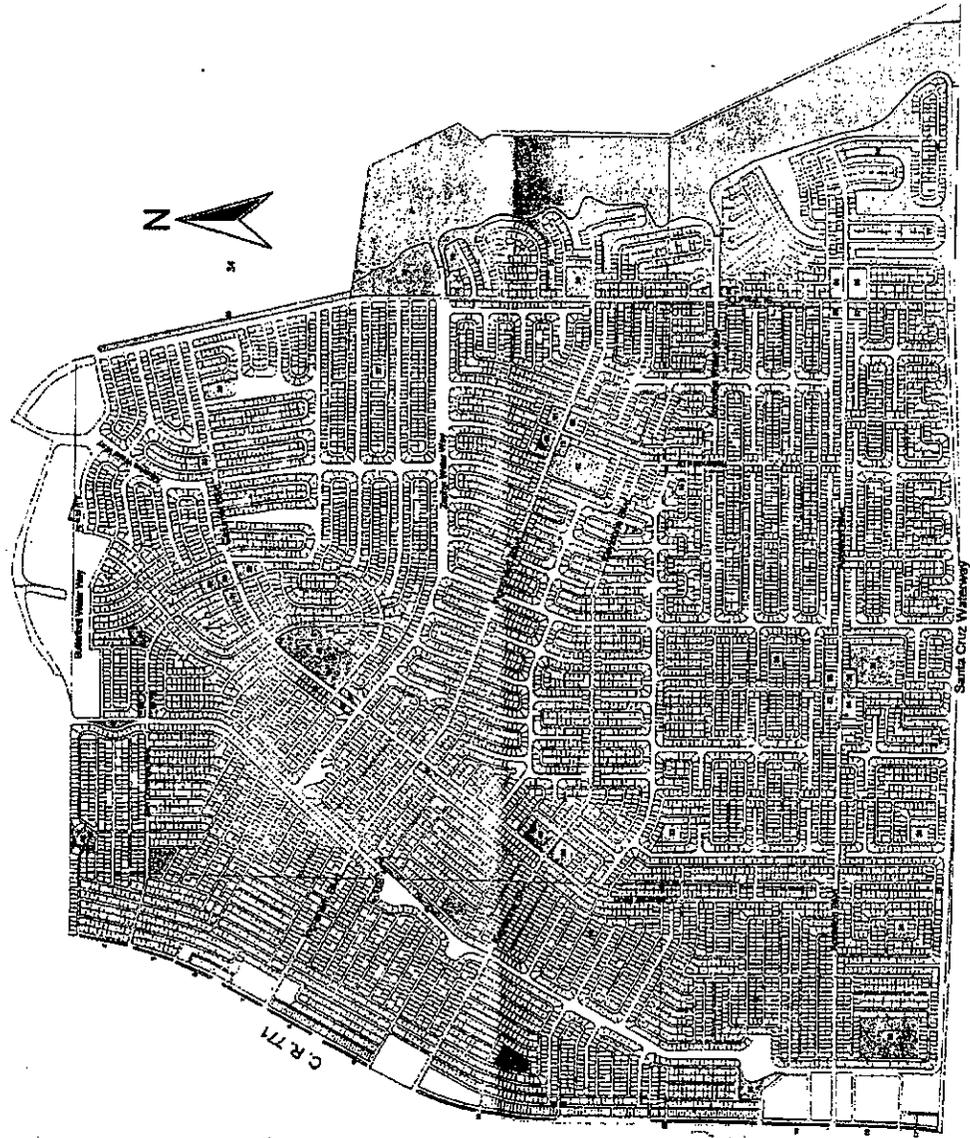


EXHIBIT "A"

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